

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ZURAB KAKHABRISHVILI,

Plaintiff,

-v-

UNITED STATES DEPARTMENT OF HOMELAND
SECURITY,

Defendant.

24 Civ. 8128 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On April 9, 2025, defendant filed a motion to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.


Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by April 30, 2025. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by May 21, 2025, defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that it relies on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by April 30, 2025. Defendant's reply, if any, shall be served by May 14, 2025. At the time any reply is served, the moving party shall supply the Court with

¹ If defendant files a new motion to dismiss or relies on its previous motion, plaintiff's opposition will be due 14 days thereafter, and defendant's reply, if any, will be due seven days after that.

two (2) courtesy copies of all motion papers by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York 10007.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer", written in dark ink.

PAUL A. ENGELMAYER
United States District Judge

Dated: April 9, 2025
New York, New York